

In the Claims

1. (currently amended) A process for the preparation of a grafted thermoplastic or elastomeric polymer or copolymer, which process comprises in a first step

A) the preparation of a nitroxyl terminated oligomer or polymer by controlled free radical polymerization of an ethylenically unsaturated monomer or monomer mixture

a1) in the presence of a nitroxyl ether $R'R''N-O-X$ wherein X is selected such, that cleavage of the O-X bond occurs and a radical $X\bullet$ is formed capable of initiating polymerization; or

a2) in the presence of a nitroxyl radical $R'R''N-O\bullet$ and a free radical initiator capable of initiating polymerization; and in a second step

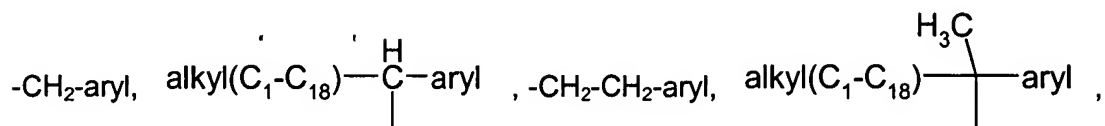
B) heating, mixing and reacting the nitroxyl terminated oligomer or polymer of step A) together with a thermoplastic or elastomeric polymer or copolymer at a temperature of between 120° C and 300° C.

2. (currently amended) A process according to claim 1 wherein the thermoplastic or elastomeric polymer or copolymer is selected from the group consisting of [[a]] polyolefins, and its polyolefin copolymers, polystyrene, and its polystyrene block or graft copolymers[[.]] and polymers and copolymers derived from 1,3-dienes.

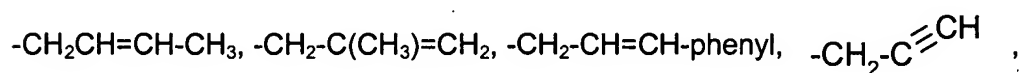
3. (currently amended) A process according to claim 2 wherein the thermoplastic or elastomeric polymer or copolymer is selected from the group consisting of low density polyethylene (LDPE, LLDPE), high density polyethylene (HDPE), polypropylene (PP), polystyrene (PS), styrene-block copolymers (SI(S), SI, SB(S), ABS, ASA), ethylene-propylene-diene modified rubber (EPDM, EPM), and ethylene propylene rubber (EPR), polybutylene (PB), polyisobutylene (PIB)[[.]] and poly-4-methylpentene-1 (PMP).

4. (original) A process according to claim 1 wherein the thermoplastic or elastomeric polymer or copolymer contains unsaturated bonds.

5. (currently amended) A process according to claim 1 wherein X is selected from the group consisting of



(C₅-C₆cycloalkyl)₂CCN, (C₁-C₁₂alkyl)₂CCN, -CH₂CH=CH₂, (C₁-C₁₂)alkyl-CR₂₀-C(O)-(C₁-C₁₂)alkyl,
 (C₁-C₁₂)alkyl-CR₂₀-C(O)-(C₆-C₁₀)aryl, (C₁-C₁₂)alkyl-CR₂₀-C(O)-(C₁-C₁₂)alkoxy,
 (C₁-C₁₂)alkyl-CR₂₀-C(O)-phenoxy, (C₁-C₁₂)alkyl-CR₂₀-C(O)-N-di(C₁-C₁₂)alkyl,
 (C₁-C₁₂)alkyl-CR₂₀-CO-NH(C₁-C₁₂)alkyl, (C₁-C₁₂)alkyl-CR₂₀-CO-NH₂,

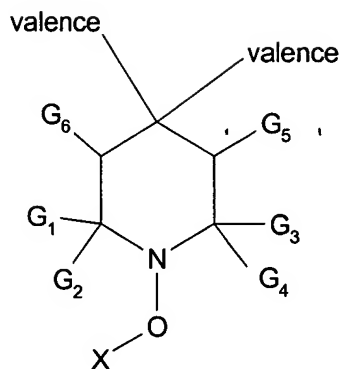


R₂₀ is hydrogen or C₁-C₁₂alkyl;

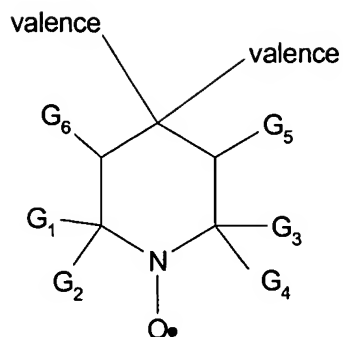
the alkyl groups are unsubstituted or substituted with one or more -OH, -COOH or -C(O)R₂₀ groups;
 and

the aryl groups are phenyl or naphthyl which are unsubstituted or substituted with C₁-C₁₂alkyl,
 halogen, C₁-C₁₂alkoxy, C₁-C₁₂alkylcarbonyl, glycidyloxy, OH, -COOH or -COO(C₁-C₁₂)alkyl.

6. (currently amended) A process according to claim 1 wherein the nitroxyl-ether or the nitroxyl radical contains a structural element of formula (Ia) or (Ib)



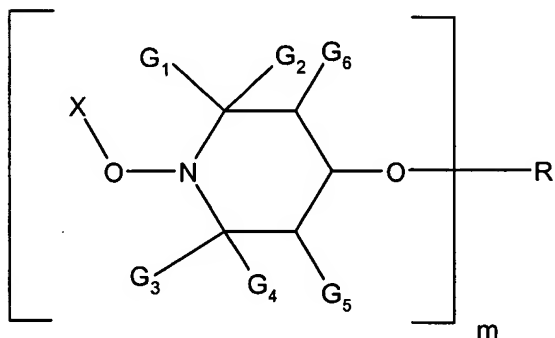
(la) [[.]]



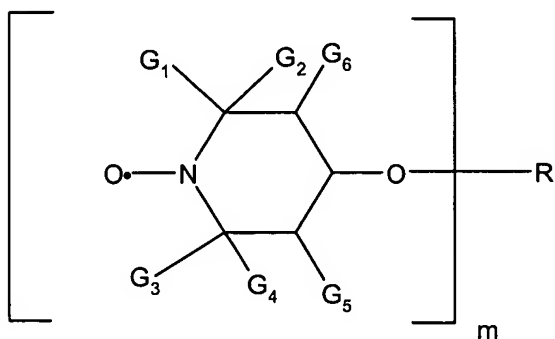
(lb) wherein

G_1, G_2, G_3, G_4 are independently C_1 - C_6 alkyl or G_1 and G_2 or G_3 and G_4 , or G_1 and G_2 and G_3 and G_4 together form a C_5 - C_{12} cycloalkyl group; and
 G_5, G_6 independently are H, C_1 - C_{18} alkyl, phenyl, naphthyl or a group $COOC_1$ - C_{18} alkyl.

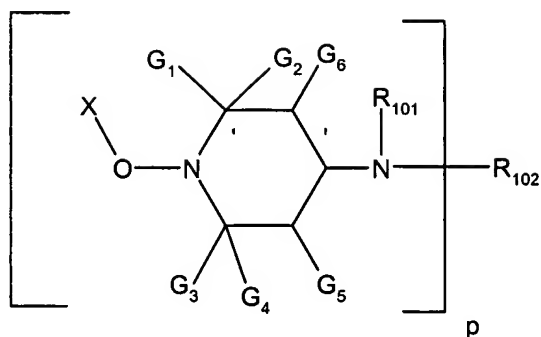
7. (currently amended) A process according to claim 6 wherein component a1) and a2) are of formula A, A', B, B' or O or O'



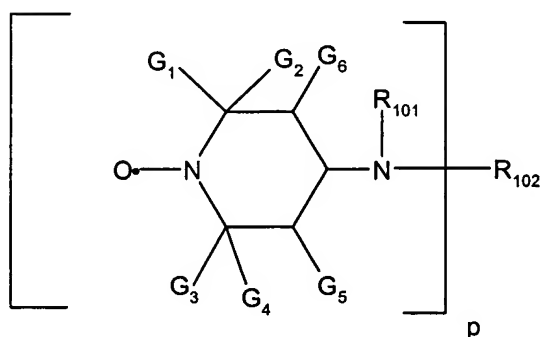
(A) [[.]]



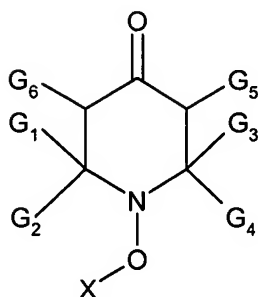
(A') [[.]]



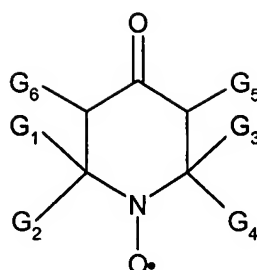
(B) **[.]**



(B') **[.]**



(O) **[.]**



(O') **[.]**

wherein

G₁, G₂, G₃ and G₄ are independently alkyl of 1 to 4 carbon atoms, or G₁ and G₂ together and G₃ and G₄ together, or G₁ and G₂ together or G₃ and G₄ together are pentamethylene;

G₅ and G₆ are independently hydrogen or C₁-C₄ alkyl;

m is 1, 2, 3 or 4

R, if m is 1, is hydrogen, C₁-C₁₈alkyl which is uninterrupted or C₂-C₁₈alkyl which is interrupted by one or more oxygen atoms, cyanoethyl, benzoyl, glycidyl, a monovalent radical of an aliphatic carboxylic acid having 2 to 18 carbon atoms, of a cycloaliphatic carboxylic acid having 7 to 15 carbon atoms, or an α,β-unsaturated carboxylic acid having 3 to 5 carbon atoms or of an aromatic carboxylic acid having 7 to 15 carbon atoms, where each carboxylic acid can be substituted in the aliphatic,

cycloaliphatic or aromatic moiety by 1 to 3 $-\text{COOZ}_{12}$ groups, in which Z_{12} is H, $\text{C}_1\text{-C}_{20}$ alkyl, $\text{C}_3\text{-C}_{12}$ alkenyl, $\text{C}_5\text{-C}_7$ cycloalkyl, phenyl or benzyl; or

R is a monovalent radical of a carbamic acid or phosphorus-containing acid or a monovalent silyl radical;

R, if m is 2, is $\text{C}_2\text{-C}_{12}$ alkylene, $\text{C}_4\text{-C}_{12}$ alkenylene, xylylene, a divalent radical of an aliphatic dicarboxylic acid having 2 to 36 carbon atoms, or a cycloaliphatic or aromatic dicarboxylic acid having 8-14 carbon atoms or of an aliphatic, cycloaliphatic or aromatic dicarbamic acid having 8-14 carbon atoms, where each dicarboxylic acid may be substituted in the aliphatic, cycloaliphatic or aromatic moiety by one or two $-\text{COOZ}_{12}$ groups; or

R is a divalent radical of a phosphorus-containing acid or a divalent silyl radical;

R, if m is 3, is a trivalent radical of an aliphatic, cycloaliphatic or aromatic tricarboxylic acid, which may be substituted in the aliphatic, cycloaliphatic or aromatic moiety by

$-\text{COOZ}_{12}$, of an aromatic tricarbamic acid or of a phosphorus-containing acid, or is a trivalent silyl radical,

R, if m is 4, is a tetravalent radical of an aliphatic, cycloaliphatic or aromatic tetracarboxylic acid;

p is 1, 2 or 3,

R_1 is $\text{C}_1\text{-C}_{12}$ alkyl, $\text{C}_5\text{-C}_7$ cycloalkyl, $\text{C}_7\text{-C}_8$ aralkyl, $\text{C}_2\text{-C}_{18}$ alkanoyl, $\text{C}_3\text{-C}_5$ alkenoyl or benzoyl;

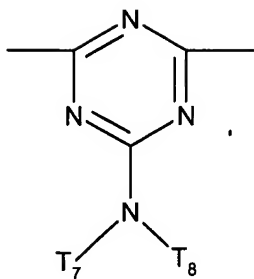
when p is 1,

R_2 is $\text{C}_1\text{-C}_{18}$ alkyl, $\text{C}_5\text{-C}_7$ cycloalkyl, $\text{C}_2\text{-C}_8$ alkenyl unsubstituted or substituted by a cyano, carbonyl or carbamide group, or is glycidyl, a group of the formula $-\text{CH}_2\text{CH}(\text{OH})-\text{Z}$ or of the formula $-\text{CO}-\text{Z}-$ or $-\text{CONH}-\text{Z}$ wherein Z is hydrogen, methyl or phenyl; or

when p is 2,

R_2 is $\text{C}_2\text{-C}_{12}$ alkylene, $\text{C}_6\text{-C}_{12}$ arylene, xylylene, a $-\text{CH}_2\text{CH}(\text{OH})\text{CH}_2\text{-O-B-O-CH}_2\text{CH}(\text{OH})\text{CH}_2-$ group, wherein B is $\text{C}_2\text{-C}_{10}$ alkylene, $\text{C}_6\text{-C}_{15}$ arylene or $\text{C}_6\text{-C}_{12}$ cycloalkylene; or, provided that R_1 is not alkanoyl, alkenoyl or benzoyl, R_2 can also be a divalent acyl radical of an aliphatic, cycloaliphatic or aromatic dicarboxylic acid or dicarbamic acid, or can be the group $-\text{CO}-$; or R_1 and R_2 together when p is 1 can be the cyclic acyl radical of an aliphatic or aromatic 1,2- or 1,3-dicarboxylic acid; or

R_2 is a group

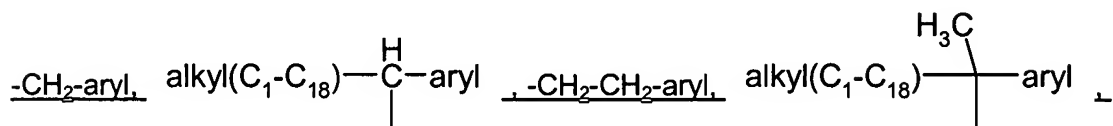


where T_7 and T_8 are independently hydrogen, alkyl of 1 to 18 carbon atoms, or T_7 and T_8 together are alkylene of 4 to 6 carbon atoms or 3-oxapentamethylene;

when p is 3,

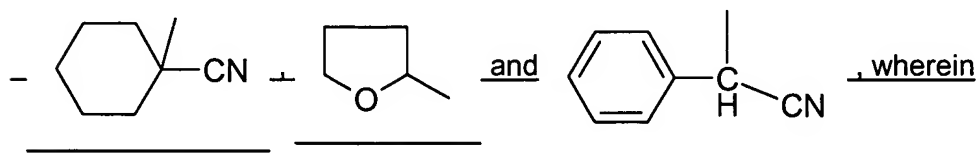
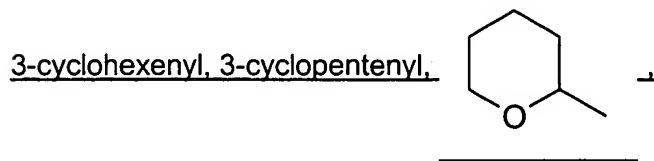
R_2 is 2,4,6-triazinyl; and

X is as defined in claim 5 selected from the group consisting of



$(\text{C}_5\text{-C}_6\text{cycloalkyl})_2\text{CCN, (C}_1\text{-C}_{12}\text{alkyl})_2\text{CCN, -CH}_2\text{CH=CH}_2, (\text{C}_1\text{-C}_{12}\text{alkyl-CR}_{20}\text{-C(O)-(C}_1\text{-C}_{12}\text{alkyl, (C}_1\text{-C}_{12}\text{alkyl-CR}_{20}\text{-C(O)-(C}_6\text{-C}_{10}\text{aryl, (C}_1\text{-C}_{12}\text{alkyl-CR}_{20}\text{-C(O)-(C}_1\text{-C}_{12}\text{alkoxy, (C}_1\text{-C}_{12}\text{alkyl-CR}_{20}\text{-C(O)-phenoxy, (C}_1\text{-C}_{12}\text{alkyl-CR}_{20}\text{-C(O)-N-di(C}_1\text{-C}_{12}\text{alkyl, (C}_1\text{-C}_{12}\text{alkyl-CR}_{20}\text{-CO-NH(C}_1\text{-C}_{12}\text{alkyl, (C}_1\text{-C}_{12}\text{alkyl-CR}_{20}\text{-CO-NH}_2$

$\text{-CH}_2\text{CH=CH-CH}_3, \text{-CH}_2\text{-C(CH}_3\text{)=CH}_2, \text{-CH}_2\text{-CH=CH-phenyl, -CH}_2\text{-C}\equiv\text{CH}$



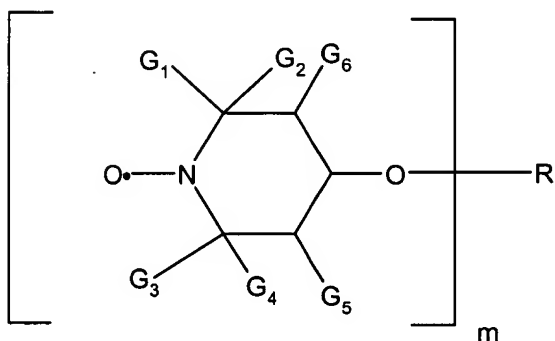
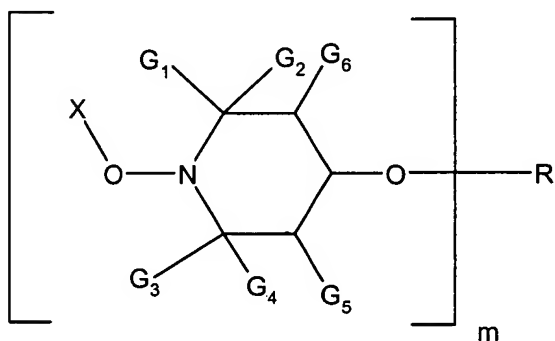
R_{20} is hydrogen or $\text{C}_1\text{-C}_{12}\text{alkyl}$;

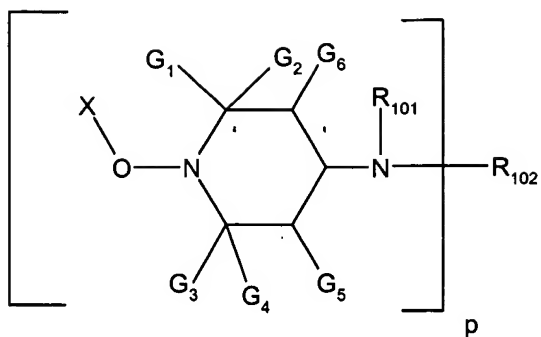
the alkyl groups are unsubstituted or substituted with one or more -OH, -COOH or -C(O)R_{20} groups;

and

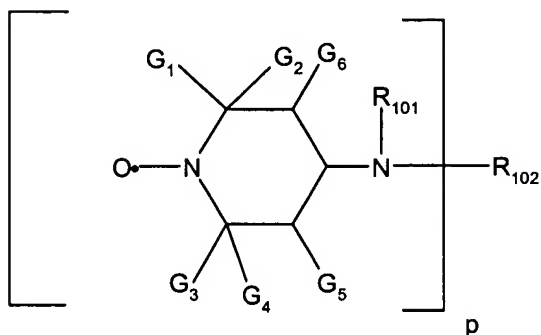
the aryl groups are phenyl or naphthyl which are unsubstituted or substituted with C₁-C₁₂alkyl, halogen, C₁-C₁₂alkoxy, C₁-C₁₂alkylcarbonyl, glycidyloxy, OH, -COOH or -COO(C₁-C₁₂)alkyl.

8. (currently amended) A process according to claim 7 wherein component a1) and a2) are of formula A, A', B, B', or O[[.]] or O'

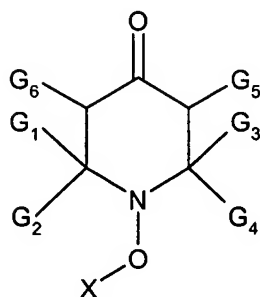




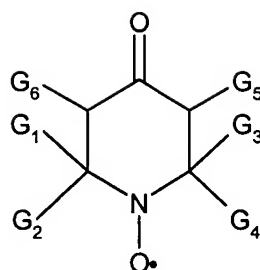
(B) **[[.]]**



(B') **[[.]]**



(O) **[[.]]**



(O') **[[.]]**

wherein

m is 1,

R is hydrogen, C₁-C₁₈alkyl which is uninterrupted or interrupted by one or more oxygen atoms, cyanoethyl, benzoyl, glycidyl, a monovalent radical of an aliphatic carboxylic acid having 2 to 18 carbon atoms, of a cycloaliphatic carboxylic acid having 7 to 15 carbon atoms, or an α,β -unsaturated carboxylic acid having 3 to 5 carbon atoms or of an aromatic carboxylic acid having 7 to 15 carbon atoms;

p is 1;

R₁₀₁ is C₁-C₁₂alkyl, C₅-C₇cycloalkyl, C₇-C₈aralkyl, C₂-C₁₈alkanoyl, C₃-C₅alkenoyl or benzoyl;

R₁₀₂ is C₁-C₁₈alkyl, C₅-C₇cycloalkyl, C₂-C₈alkenyl unsubstituted or substituted by a cyano, carbonyl or carbamide group, or is glycidyl, a group of the formula -CH₂CH(OH)-Z or of the formula -CO-Z or -CONH-Z wherein Z is hydrogen, methyl or phenyl;

G₆ is hydrogen and G₅ is hydrogen or C₁-C₄alkyl,

G₁, G₂, G₃ and G₄ are methyl; or

G₁ and G₃ are methyl and G₂ and G₄ are ethyl or propyl or G₁ and G₂ are methyl and G₃ and G₄ are ethyl or propyl; and

X is selected from the group consisting of

-CH₂-phenyl, CH₃CH-phenyl, (CH₃)₂C-phenyl, (C₅-C₆cycloalkyl)₂CCN, (CH₃)₂CCN, -CH₂CH=CH₂,

CH₃CH-CH=CH₂ (C₁-C₄alkyl)CR₂₀-C(O)-phenyl, (C₁-C₄)alkyl-CR₂₀-C(O)-(C₁-C₄)alkoxy,

(C₁-C₄)alkyl-CR₂₀-C(O)-(C₁-C₄)alkyl, (C₁-C₄)alkyl-CR₂₀-C(O)-N-di(C₁-C₄)alkyl,

(C₁-C₄)alkyl-CR₂₀-C(O)-NH(C₁-C₄)alkyl and (C₁-C₄)alkyl-CR₂₀-C(O)-NH₂, wherein

R₂₀ is hydrogen or (C₁-C₄)alkyl.

9. (original) A process according to claim 7 wherein G₂ and G₄ are ethyl, G₁ and G₃ are methyl, G₆ is hydrogen and G₅ is methyl.

10. (original) A process according to claim 1 wherein the free radical initiator of component a2) is a bis-azo compound, a peroxide, a perester or a hydroperoxide.

11. (original) A process according to claim 1, wherein the nitroxylether of component a1) or the nitroxyl radical of component a2) is present in an amount of from 0.001 mol-% to 20 mol-%, based on the monomer or monomer mixture.

12. (original) A process according to claim 1, wherein the free radical initiator is present in an amount of from 0.001 mol-% to 20 mol-%, based on the monomer or monomer mixture.

13. (currently amended) A process according to claim 1, wherein the ethylenically unsaturated monomer is selected from the group consisting of styrene, substituted styrene, conjugated dienes,

vinyl acetate, vinylpyrrolidone, vinylimidazole, maleic anhydride, (alkyl)acrylic acid anhydrides, (alkyl)acrylic acid salts, (alkyl)acrylic esters, (meth)acrylonitriles, (alkyl)acrylamides, vinyl halides ~~or~~ and vinylidene halides.

14. (currently amended) A process according to claim **12**, wherein the ethylenically unsaturated monomer is a compound of formula $\text{CH}_2=\text{C}(\text{R}_a)-(\text{C}=\text{Z})-\text{R}_b$, wherein R_a is hydrogen or $\text{C}_1\text{-C}_4$ alkyl, R_b is NH_2 , $\text{O}^-(\text{Me}^+)$, glycidyl, unsubstituted $\text{C}_1\text{-C}_{18}$ alkoxy, $\text{C}_2\text{-C}_{100}$ alkoxy interrupted by at least one N and/or O atom, or hydroxy-substituted $\text{C}_1\text{-C}_{18}$ alkoxy, unsubstituted $\text{C}_1\text{-C}_{18}$ alkylamino, di($\text{C}_1\text{-C}_{18}$ alkyl)amino, hydroxy-substituted $\text{C}_1\text{-C}_{18}$ alkylamino or hydroxy-substituted di($\text{C}_1\text{-C}_{18}$ alkyl)amino, $-\text{O}-\text{CH}_2-\text{CH}_2-\text{N}(\text{CH}_3)_2$ or $-\text{O}-\text{CH}_2-\text{CH}_2-\text{N}^+\text{H}(\text{CH}_3)_2 \text{An}^-$; An^- is an anion of a monovalent organic or inorganic acid; Me is a monovalent metal atom or the ammonium ion [[.]] and Z is oxygen or sulfur.

15. (original) A process according to claim **1** wherein step B) is performed in an extruder, mixer or kneading apparatus.

16. (original) A process according to claim **1** wherein in step B) additionally a processing stabilizer and/or antioxidant is added.

17. (original) A process according to claim **1** wherein in step B) additionally a radical generator is added.

18. (original) A process according to claim **1** wherein the nitroxyl terminated polymer or oligomer of step A) has an average molecular weight of from 1000 to 100 000 Dalton.

19. (currently amended) A process according to claim **1** wherein the nitroxyl terminated polymer or oligomer of step A) has a polydispersity (PD) from 1.0 to 2.0.

20. (original) A process according to claim 1 wherein the nitroxyl terminated polymer or oligomer of step A) is added to the thermoplastic or elastomeric polymer or copolymer in an amount from 0.1% to 50% by weight based on the weight of the thermoplastic or elastomeric polymer or copolymer.

21. (original) A grafted thermoplastic or elastomeric polymer or copolymer obtained according to claim 1.

22. (canceled)